

**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION**

**APPLICATION OF MEWBOURNE OIL COMPANY  
FOR A NON-STANDARD OIL SPACING AND  
PRORATION UNIT AND COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.**

**Case No. 15602 (re-opened)**

**AFFIDAVIT OF NOTICE**

COUNTY OF SANTA FE    )  
  ) ss.  
STATE OF NEW MEXICO    )

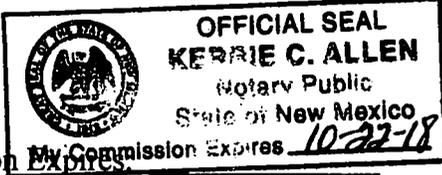
James Bruce, being duly sworn upon his oath, deposes and states:

1. I am over the age of 18, and have personal knowledge of the matters stated herein.
2. I am an attorney for Mewbourne Oil Company.
3. Mewbourne Oil Company has conducted a good faith, diligent effort to find the names and correct addresses of the interest owners entitled to receive notice of the application filed herein.
4. Notice of the application was provided to the interest owners, at their correct addresses, by certified mail. Copies of the notice letter and certified return receipts are attached hereto as Attachment A.
5. Applicant has complied with the notice provisions of Division Rules NMAC 19.15.4.9 and 19.15.4.12.C.

  
\_\_\_\_\_  
James Bruce

SUBSCRIBED AND SWORN TO before me this 4<sup>th</sup> day of April, 2018 by James Bruce.

My Commission Expires 10-27-18



  
\_\_\_\_\_  
Notary Public

EXHIBIT 5

**JAMES BRUCE**  
ATTORNEY AT LAW

POST OFFICE BOX 1056  
SANTA FE, NEW MEXICO 87504

369 MONTEZUMA, NO. 213  
SANTA FE, NEW MEXICO 87501

(505) 982-2043 (Phone)  
(505) 660-6612 (Cell)  
(505) 982-2151 (Fax)

[jamesbruce@aol.com](mailto:jamesbruce@aol.com)

March 15, 2018

CERTIFIED MAIL

To: Persons on Exhibit A

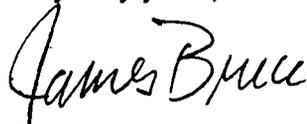
Ladies and gentlemen:

Enclosed is a copy of an application for a non-standard oil spacing and proration unit and compulsory pooling, filed with the New Mexico Oil Conservation Division by Mewbourne Oil Company, regarding a Bone Spring well in the E $\frac{1}{2}$ W $\frac{1}{2}$  of Section 15, Township 23 South, Range 34 East, N.M.P.M., Lea County, New Mexico.

This matter is scheduled for hearing at 8:15 a.m. on Thursday, April 5, 2018, in Porter Hall at the Division's offices at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from contesting the matter at a later date.

A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, March 29, 2018. This statement must be filed with the Division's Santa Fe office at the above address, and should include: The names of the party and its attorney; a concise statement of the case; the names of the witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned.

Very truly yours,

  
James Bruce

Attorney for Mewbourne Oil Company

ATTACHMENT *A*

Exhibit A

Black & Gold Resources, LLC  
5630 Wickersham Lane  
Houston, TX 77056

Attention: David V. De Marco

Charles C. Albright, III, Trustee  
729 W. 16<sup>th</sup> Street, Suite B8, Costa Mesa, CA 92627

Lillian E. and Kenneth E. Rutherford,  
Trustees of the Rutherford Family 1970 Trust  
321 Grove Drive  
Portola Valley, CA 94028

Lillian E. and Kenneth E. Rutherford,  
Trustees of the Rutherford Family 1970 Trust

2107 Crystal Street  
Los Angeles, CA 90039

Landis Drilling

P.O. Box 994, Midland, Texas 79702

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Lillian E. and Kenneth E. Rutherford,  
Trustees of the Rutherford Family 1970 Trust  
321 Grove Drive  
Ponola Valley, CA 94028

9590 9402 3452 7275 9706 85

2. **7010 0780 0002 3935 8229**

**COMPLETE THIS SECTION ON DELIVERY**

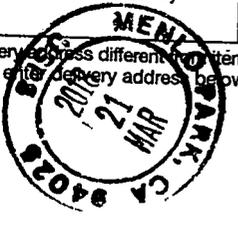
A. Signature  
*X* *Lillian E. Rutherford*  Agent  
 Addressee

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Adult Signature  Priority Mail Express®  
 Adult Signature Restricted Delivery  Registered Mail™  
 Certified Mail®  Registered Mail Restricted Delivery  
 Certified Mail Restricted Delivery  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation™  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053



**U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To Charles C. Albright, III, Trustee  
 Street, Apt. No., or PO Box No. 729 W. 16<sup>th</sup> Street, Suite B8, Costa Mesa, CA 92627  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, August 2006 See Reverse for Instructions

9528 8236 0002 0780 1010

Domestic Return Receipt

**U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To Lillian E. and Kenneth E. Rutherford,  
Trustees of the Rutherford Family 1970 Trust  
Street, Apt. No., or PO Box No. 321 Grove Drive  
Ponola Valley, CA 94028  
City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, August 2006 See Reverse for Instructions

7010 0780 0002 3935 8229

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1. Article Addressed to:

Charles C. Albright, III, Trustee  
729 W. 16<sup>th</sup> Street, Suite B8, Costa Mesa, CA 92627

9590 9402 3452 7275 9706 92

2. Article **7010 0780 0002 3935 8236**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*X* \_\_\_\_\_  Agent  
 Addressee

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Adult Signature  Priority Mail Express®  
 Adult Signature Restricted Delivery  Registered Mail™  
 Certified Mail®  Registered Mail Restricted Delivery  
 Certified Mail Restricted Delivery  Return Receipt for Merchandise  
 Collect on Delivery  Signature Confirmation™  
 Collect on Delivery Restricted Delivery  Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

7010 0780 0002 3935 8212

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To Lillian E. and Kenneth E. Rutherford,  
Trustees of the Rutherford Family 1970 Trust

Street, Apt. 1 2107 Crystal Street  
or PO Box No. Los Angeles, CA 90039  
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

James Bruce  
P.O. Box 1056  
Santa Fe, New Mexico 87504

*No such person*

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**

7010 0780 0002 3935 8212

\$6.70<sup>00</sup>  
US POSTAGE  
FIRST-CLASS  
071V00607931  
87501  
000105324

Lillian E. and Kenneth E. Rutherford,  
Trustees of the Rutherford Family 1970 Trust

NIXIE 910 FE 1 0003/22/18

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

UTF  
30033-298607

BC: 87504105656 \*0668-00097-17-40

7010 0780 0002 3935 8205

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To Landis Drilling

Street, Apt. No.; or PO Box No. P.O. Box 994, Midland, Texas 79702

City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Landis Drilling  
P.O. Box 994, Midland, Texas 79702

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
**X**  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

2. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

9590 9402 3452 7275 9706 01

7010 0780 0002 3935 8205

PS Form 3811, July 2015 PSN 7530-02-000-9053

*McC Brough*

Domestic Return Receipt

7010 0780 0002 3935 8243

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	¢	

Sent To	Black & Gold Resources, L.L.C. 5630 Wickersham Lane Houston, TX 77056
Street, Apt. No., or PO Box No.	Attention: David V. De Marco
City, State, ZIP+4	

# Affidavit of Publication

STATE OF NEW MEXICO  
COUNTY OF LEA

I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

Beginning with the issue dated  
March 23, 2018  
and ending with the issue dated  
March 23, 2018.

  
\_\_\_\_\_  
Publisher

Sworn and subscribed to before me this  
23rd day of March 2018.

  
\_\_\_\_\_  
Business Manager

My commission expires  
January 29, 2019

(Seal)  
  
**OFFICIAL SEAL**  
**GUSSIE BLACK**  
Notary Public  
State of New Mexico  
My Commission Expires 1-29-19

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said

**LEGAL** **LEGAL**

**LEGAL NOTICE**  
March 23, 2018

**NOTICE**

To: Black & Gold Resources, LLC, Charles C. Albright, II Trustee, Lillian E. and Kenneth E. Rutherford, as Trustee of the Rutherford Family 1970 Trust, and Landis Drilling Co., or your heirs, devisees, successors, or assigns Mewbourne Oil Company has filed an application with the New Mexico Oil Conservation Division seeking an order approving a 160-acre non-standard oil spacing and proration unit (project area) in the Bone Spring formation comprised of the E/2W/2 of Section 15, Township 23 South Range 34 East, NMPM, Lea County, New Mexico. Applicant further seeks the pooling of all mineral interests in the Bone Spring formation underlying the E/2W/2 of Section 15. The unit will be dedicated to the Pronghorn 15 B3CN Fed. Cor-Well No. 1H, a horizontal well with a surface location in the NE/4NW/4, and a terminus in the SE/4SW/4, of Section 15. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervisor designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The application is scheduled to be heard at 8:15 a.m. on April 5, 2018 at the Division's offices at 1220 South S Francis Drive, Santa Fe, New Mexico 87505. As an interest owner in the well unit you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date. The attorney for applicant is James Bruce, P.O. Box 1056 Santa Fe, New Mexico 87504. The unit is located approximately 18 miles southwest of Oil Center, New Mexico.  
#32648

15602 Re-opened  
EXHIBIT 6

01101711

00209046

JAMES BRUCE  
JAMES BRUCE, ATTORNEY AT LAW  
P.O. BOX 1056  
SANTA FE, NM 87504